

## Message Text

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E.O. 11652: N/A

TAGS: PGOV, KS, US

SUBJECT:

FOLLOWING IS TEXT OF PUBLIC STATEMENT ISSUED BY SPECIAL  
COUNSEL JAWORSKI MAY 10 IN WASHINGTON.

BEGIN TEXT

THE PURPOSE OF THIS STATEMENT IS TO SET FORTH THE  
COMMITTEE'S EFFORTS TO SECURE THE TESTIMONY OF KIM DONG JO.  
I HAVE CHOSEN TO COME FORWARD WITH AN ANNOUNCEMENT NOW  
BECAUSE, NOTWITHSTANDING MONTHS OF DISCUSSIONS, WE HAVE  
REACHED AN IMPASSE WITH RESPECT TO THIS ISSUE, WHICH  
CONGRESS NOW MUST SQUARELY FACE.

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WHEN I BECAME SPECIAL COUNSEL TO THE COMMITTEE, IN  
AUGUST 1977, MY REVIEW OF THE EVIDENCE COLLECTED UP TO  
THAT TIME CONVINCED ME THAT THE KOREAN INVESTIGATION  
WOULD RISE OR FALL ON THE BASIS OF WHETHER THE REPUBLIC OF  
KOREA WOULD PRODUCE KEY WITNESSES NOT AVAILABLE TO US  
UNDER COMPULSORY PROCESS. IN THE ABSENCE OF SUCH COOPERA-  
TION, THERE WAS LITTLE HOPE THAT MEMBERS OF CONGRESS WHO  
HAD PARTICIPATED IN ILLICIT ACTIVITIES WOULD COME FORWARD  
AND ADMIT THEM. I ADDRESSED THIS ISSUE, ATTEMPTING TO

CONVEY A MESSAGE TO SOUTH KOREA, IN MY FIRST APPEARANCE BEFORE THE COMMITTEE. ON AUGUST 24, 1977 I STATED IN PUBLIC SESSION AS FOLLOWS:

QUOTE: I SHOULD ADD THAT I CONCEIVE IT TO BE TO THE BEST INTERESTS OF OUR GOVERNMENT AND OUR PEOPLE, AS WELL AS THE KOREAN GOVERNMENT, FOR THE OFFICIALS OF THE LATTER GOVERNMENT TO EXTEND UNLIMITED COOPERATION TO THIS COMMITTEE AND ITS INVESTIGATORS IN ASCERTAINING THE TRUE FACTS. UNLESS THIS IS DONE, SPECULATION AND CONJECTURE WILL FOLLOW AND ERRONEOUS JUDGMENTS BENEFITING NO ONE, AND PROBABLY CAUSING CONSIDERABLE HARM, MAY RESULT. UNQUOTE

APPROXIMATELY ONE MONTH LATER, I REITERATED THESE SENTIMENTS BEFORE THE COMMITTEE, STATING:

QUOTE: A FULL EXPOSURE OF THE FACTS RELEVANT TO THIS INVESTIGATION DOES NOT SEEM ACHIEVABLE WITHOUT THE UNRESTRICTED COOPERATION OF THE GOVERNMENT OF SOUTH KOREA. THE SCOPE OF INQUIRY WE NOW ENVISION EXTENDS BEYOND THE ACTIVITIES OF TONGSUN PARK. UNQUOTE

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I HAD IN MIND AT THAT TIME ACTIVITIES INVOLVING FORMER AMBASSADOR KIM DONG JO. EVIDENCE HAD COME TO OUR ATTENTION ESTABLISHING BEYOND A DOUBT THAT KIM WAS THE OPERATIONAL HEAD OF A WELL-ORGANIZED SCHEME TO SEEK TO INFLUENCE MEMBERS OF CONGRESS BY, AMONG OTHER THINGS, PAYING LARGE AMOUNTS OF CASH TO THEM AND MEMBERS OF THEIR FAMILIES. KIM'S OPERATION WAS ENTIRELY SEPARATE FROM THAT OF TONGSUN PARK, BUT THE FOCUS OF THE CONGRESS AND THE MEDIA HAD BEEN UPON THE MORE FLAMBOYANT MR. PARK. OUR PRESENTATION TO THE COMMITTEE AND THE PUBLIC, AT HEARINGS FROM OCTOBER 19 THROUGH 21, WAS DESIGNED TO LAY BARE THE FACTS OF THE KOREAN PLAN AND TO ESTABLISH THAT KIM, AS MUCH AS PARK, WAS CRUCIAL TO OUR INVESTIGATION.

DR. JAI HYON LEE, WHO IS NOW PROFESSOR OF JOURNALISM AT WESTERN ILLINOIS UNIVERSITY, SERVED FROM 1970 THROUGH 1973 AS CHIEF COUNSEL AND INFORMATION ATTACHE AT THE SOUTH KOREAN EMBASSY IN WASHINGTON. DR. LEE, WHO WAS ONE OF EIGHT DEPARTMENT HEADS WHO REPORTED TO FORMER AMBASSADOR KIM, TESTIFIED AT THE HEARINGS TO THE CREATION OF AN EMBASSY-ORCHESTRATED PLAN QUOTE WHICH REFERRED TO SEDUCTION AND BUYING OFF OF AMERICAN LEADERS, PARTICULARLY IN THE CONGRESS. UNQUOTE A KCIA OPERATIVE IN THE UNITED STATES DURING THIS PERIOD, KIM SANG KUEN, PROVIDED A DETAILED DESCRIPTION OF THE PLAN IN HIS TESTIMONY BEFORE

THE COMMITTEE. SHROUDED IN CODE NAMES AND FINANCED

BY IMMENSE SUMS OF MONEY FILTERED INTO THE UNITED STATES, THE PLAN CONSTITUTED AN OVERT EFFORT TO SUBVERT AMERICAN OFFICIALS ON A SUBSTANTIAL SCALE.

IMPLEMENTATION OF THE PLAN WAS DEMONSTRATED AT THE COMMITTEE HEARINGS BY THE FOLLOWING TESTIMONY:

(A) DR. LEE TESTIFIED THAT HE WITNESSED FORMER AMBASSADOR KIM IN KIM'S OFFICE STUFFING SOME 24 ENVELOPES WITH \$100 UNCLASSIFIED

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BILLS FOR DELIVERY QUOTE TO THE CAPITOL. UNQUOTE

(B) A MEMBER OF THE STAFF OF CONGRESSMAN LARRY WINN TESTIFIED THAT FORMER AMBASSADOR KIM DID DELIVER AN ENVELOPE STUFFED WITH \$100 BILLS TO CONGRESSMAN WINN. THE MONEY WAS RETURNED.

(C) THE WIVES OF CONGRESSMEN KIKI DE LA GARZA AND JOHN T. MYERS TESTIFIED THAT THE WIFE OF KIM DONG JO GAVE MRS. DE LA GARZA AND MRS. MYERS ENVELOPES STUFFED WITH \$100 BILLS IN SEOUL, KOREA. THESE FUNDS WERE RETURNED.

AFTER THE PRESENTATION OF THE EVIDENCE, THE IMPLICATIONS OF THE HEARINGS WERE SUMMARIZED TO THE COMMITTEE AS FOLLOWS:

QUOTE: THE EVIDENCE SHOWS THAT TREMENDOUS SUMS OF MONEY WERE PROVIDED TO KOREAN AGENTS, INCLUDING, BUT NOT LIMITED TO, TONGSUN PARK. THE EVIDENCE FURTHER IMPLICATES OTHER HIGH RANKING KOREAN OFFICIALS, KIM DONG JO, YANG DU HWON, AMONG THEM.

YOU HAVE DIRECT TESTIMONY, SOME OF IT EXTREMELY VIVID, OF THE FORMULATION AND EFFECTUATION OF A SOPHISTICATED, WELL-DEFINED PLAN TO EXERT INFLUENCE ON AMERICAN OFFICIALS.

THE QUESTION OF WHETHER THESE THINGS TOOK PLACE IS VERY SIMPLY A DEAD ISSUE.

THE QUESTIONS THAT DO REMAIN FOR THIS COMMITTEE INVOLVE THE CONDUCT OF AMERICAN OFFICIALS. WE HAVE ALREADY GATHERED EVIDENCE WITH RESPECT TO THIS ASPECT OF THE UNCLASSIFIED

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INVESTIGATION, AND WE ARE NOW TURNING TOWARD A MORE CONCENTRATED EFFORT TO DEVELOP MORE. BUT, HOWEVER MUCH WE LEARN, THE INVESTIGATION WILL BE INCOMPLETE WITHOUT THE COOPERATION WE SEEK FROM SOUTH KOREA. UNQUOTE

AT OUR REQUEST, THE COMMITTEE UNANIMOUSLY SPONSORED, AND WITHIN ONE WEEK THE HOUSE UNANIMOUSLY PASSED, A RESOLUTION RECOGNIZING THE COMPELLING NATURE OF THE EVIDENCE AND CALLING UPON SOUTH KOREA TO PROVIDE US THE INFORMATION NEEDED TO COMPLETE THE INVESTIGATION:

QUOTE: RESOLVED, THAT IT IS THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT THE GOVERNMENT OF THE REPUBLIC OF KOREA SHOULD COOPERATE FULLY AND WITHOUT RESERVATION WITH THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT AND WITH ITS SPECIAL COUNSEL TO PROVIDE COMPLETE ACCESS TO ALL FACTS RELEVANT TO THE AFORESAID INVESTIGATION, SO THAT THE WORK OF THE COMMITTEE MAY BE COMPLETED EXPEDITIOUSLY AND THE HISTORIC ALLIANCE OF THE UNITED STATES AND THE REPUBLIC OF KOREA MAY PERSEVERE TO THE MUTUAL BENEFIT OF OUR TWO GREAT NATIONS. UNQUOTE

H. RES. 868 (95TH CONG., 1ST SESS., 10/31/77).

IN THE EARLY STAGES OF MY PARTICIPATION IN THE INVESTIGATION, I HAD HOPED THAT MY FREQUENT STATEMENTS CONCERNING KOREAN COOPERATION, STATEMENTS BY MEMBERS OF THE COMMITTEE AND BY OTHER MEMBERS OF CONGRESS, THE OCTOBER HEARINGS, AND THE UNANIMOUS RESOLUTION THAT RESULTED FROM THE HEARINGS WOULD LEAD TO CONVINCING THE REPUBLIC OF KOREA TO JOIN WITH US IN RESOLVING THE INVESTIGATION BY AGREEING THAT COMPLETE COOPERATION ON ALL ASPECTS OF THE INVESTIGATION -- BOTH AS TO TONGSUN PARK AND KIM DONG JO -- WAS NECESSARY. IT WAS CLEAR TO ME THAT A SPIRIT OF TOTAL COOPERATION SHOULD AND COULD BE ACHIEVED BECAUSE OF THE TREMENDOUS EXPRESSIONS OF CONCERN PUT FORWARD BY CONGRESS. UNCLASSIFIED

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I WAS CORRECT WITH RESPECT TO PARK, AND EVENTS WERE SET IN MOTION BECAUSE OF CONGRESSIONAL PRESSURE THAT LED FINALLY TO PARK'S APPEARANCE BEFORE THE COMMITTEE FOR UNRESTRICTED TESTIMONY UNDER OATH. AS TO KIM DONG JO, HOWEVER, SOUTH KOREA CHOSE TO CONTINUE TO IGNORE OUR REQUESTS.

CONSEQUENTLY, I WAS DISTURBED WHEN REPRESENTATIVES OF THE JUSTICE DEPARTMENT TRAVELLED TO SEOUL IN OCTOBER 1977 TO DISCUSS TESTIMONY OF TONGSUN PARK ALONE, AND NOT COMPLETE COOPERATION. FIRST, I DID NOT LIKE THE IDEA OF OUR NATION'S GOING ABROAD TO PLEAD FOR ACCESS TO AN INDICTED FUGITIVE WHO COMMITTED WRONGDOING IN THE UNITED STATES. MORE IMPORTANTLY, I WAS UTTERLY OPPOSED TO PIECEMEAL COOPERATION. IF THERE WERE TO BE DISCUSSIONS, I WISHED THEM TO COVER ALL ASPECTS OF COOPERATION; AND I REFUSED TO GO TO SEOUL TO DISCUSS TONGSUN PARK EXCLUSIVELY.

I CONVEYED THESE FEELINGS TO ATTORNEY GENERAL BELL AND

TO ASSISTANT ATTORNEY GENERAL CIVILETTI. FOLLOWING THE OCTOBER HEARINGS OF THE COMMITTEE AND THE HOUSE RESOLUTION REFERRED TO ABOVE, HOWEVER, THE KOREANS DECIDED THAT SOME KIND OF COOPERATION WAS NECESSARY. THEY WERE FACED, ON ONE HAND, WITH THE COMMITTEE'S RESOLUTE DETERMINATION TO SEEK TOTAL COOPERATION AND, ON THE OTHER HAND, WITH THE DEPARTMENT'S WILLINGNESS TO DISCUSS TONGSUN PARK EXCLUSIVELY. TO MY REGRET, SOUTH KOREA CHOSE THE PATH OF LESS RESISTANCE AND BEGAN NEGOTIATIONS WITH THE STATE DEPARTMENT, ACTING ON BEHALF OF THE JUSTICE DEPARTMENT, THAT ULTIMATELY LED TO A RESTRICTED EXAMINATION OF PARK IN SEOUL.

LATER, OF COURSE, PARK TESTIFIED BEFORE THE COMMITTEE IN OPEN SESSION ON AN UNRESTRICTED BASIS. BUT THE SOUTH UNCLASSIFIED

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KOREANS HAD SUCCEEDED IN FOCUSING PUBLIC ATTENTION ON PARK AND AWAY FROM KIM DONG JO. THEY HAD, IN EFFECT, SEVERED THE ISSUES. IT WAS CLEARLY THEIR EXPECTATION THAT THEY COULD REDUCE CONGRESSIONAL PRESSURE BY DEALING WITH THE PARK ISSUE WHILE NEGLECTING KIM DONG JO. THIS IS WHAT I HAD FEARED WOULD HAPPEN.

THE MONTHS OF DECEMBER AND JANUARY WERE LARGELY TAKEN UP WITH THE ISSUE OF THE TESTIMONY OF TONGSUN PARK. SINCE THAT ISSUE HAD EFFECTIVELY BEEN SEVERED BY THE SOUTH KOREANS, I FELT THAT WE HAD TO ACT QUICKLY WITH RESPECT TO PARK OR BE FACED WITH THE POSSIBILITY OF COMING UP WITH NOTHING ON BOTH FRONTS. I BELIEVED THAT THIS WOULD BE A COMPLETE DISASTER FOR US, SINCE THE QUESTION OF THE INTEGRITY OF CONGRESS, BOTH WITH RESPECT TO CONGRESSIONAL ACTIVITIES INVOLVING SOUTH KOREANS AND WITH RESPECT TO THE DEDICATION OF CONGRESS TO RESOLVING THE INVESTIGATION, WERE BEING WIDELY DISCUSSED. RATHER THAN JEOPARDIZING THE OPPORTUNITY TO SECURE ANY TESTIMONY AT ALL, I DETERMINED THAT WE HAD TO HAVE TONGSUN PARK RETURNED TO THIS COUNTRY FOR UNRESTRICTED TESTIMONY BEFORE THE COMMITTEE.

IT WILL BE RECALLED THAT THE AGREEMENT ENTERED INTO BY THE STATE DEPARTMENT FOR THE JUSTICE DEPARTMENT WITH THE REPUBLIC OF KOREA INCLUDED A PROVISION WHEREBY TONGSUN PARK WOULD RETURN TO THE UNITED STATES TO TESTIFY AT ANY CRIMINAL TRIAL IN WHICH HE HAD DIRECT INFORMATION TO PROVIDE. REPRESENTATIVES OF THE STATE AND JUSTICE DEPARTMENTS ATTEMPTED TO CONVINCE ME THAT THIS PROVISION ADEQUATELY PROTECTED CONGRESS. IT DID NOT, FOR SEVERAL

REASONS. THE PRINCIPAL REASONS WAS TIMING. ALTHOUGH I HAD NO DOUBT THAT WE COULD AND WOULD SUBPOENA PARK WHEN HE APPEARED HERE AND THAT ANY ATTEMPT OF THE JUSTICE

DEPARTMENT TO PREVENT OUR DOING SO WOULD CONSTITUTE AN  
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OBSTRUCTION OF A CONGRESSIONAL INVESTIGATION, WHICH THE  
DEPARTMENT WOULD NEVER COMMIT, I WAS EXTREMELY CONCERNED  
ABOUT WHETHER AND WHEN ANY TRIALS WOULD TAKE PLACE. I WAS  
AWARE OF THE INDICTMENT OF FORMER CONGRESSMAN RICHARD T.  
HANNA; BUT IT WAS FAR FROM CERTAIN WHETHER THERE WOULD BE  
OTHER INDICTMENTS AND, EVEN IF THERE WERE OTHER INDICTMENTS,  
WHETHER THERE WOULD BE ANY TRIALS. THIS PROVED TO BE  
CORRECT. HANNA PLEADED GUILTY AND THEREBY AVOIDED A  
TRIAL. FORMER CONGRESSMAN OTTO PASSMAN HAS BEEN INDICTED,  
BUT HIS ABILITY TO STAND TRIAL REMAINS IN ISSUE. TO THIS  
DATE, THERE HAVE BEEN NO OTHER INDICTMENTS IN WHICH  
PARK'S TESTIMONY WOULD HAVE BEEN SUFFICIENTLY COMPELLING  
TO BRING HIM TO THE UNITED STATES. IN OTHER WORDS, WE  
WOULD STILL BE WAITING FOR MR. PARK IF WE HAD GONE  
ALONG WITH THE JUSTICE DEPARTMENT PLAN.

AS A RESULT, THE COMMITTEE INSISTED TO THE SOUTH KOREANS,  
THROUGH THE STATE DEPARTMENT, THAT TONGSUN PARK BE RETURNED  
TO THE UNITED STATES FOR TESTIMONY BEFORE IT -- WITHOUT  
REGARD TO THE TIMING OF ANY TESTIMONY IN A JUSTICE  
DEPARTMENT TRIAL. BECAUSE OF THE COMMITTEE'S RESOLUTE-  
NESS ON THIS ISSUE AND BECAUSE THE SPEAKER OF THE HOUSE  
LENT THE FULL WEIGHT OF HIS OFFICE TO OUR EFFORTS IN THIS  
RESPECT, TONGSUN PARK RETURNED TO THE UNITED STATES IN  
FEBRUARY AND BEGAN HIS TESTIMONY BEFORE THE COMMITTEE  
ON FEBRUARY 28, 1978.

ALTHOUGH THE FIRST TWO MONTHS OF 1978 FOUND US CONCENTRA-  
TING ON TONGSUN PARK, WE WERE FAR FROM INACTIVE WITH  
RESPECT TO KIM DONG JO. WE CONTINUED TO APPRISE THE  
COMMITTEE OF THE NECESSITY OF HAVING KIM'S TESTIMONY, AND  
WE SIMILARLY APPRISED THE SPEAKER OF THAT NECESSITY.  
ON JANUARY 20, I MET WITH THE FRESHMAN DEMOCRATS TO  
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EMPHASIZE THE NEED FOR THE TESTIMONY OF KIM DONG JO; AND  
ON FEBRUARY 2, I HAD A SIMILAR MEETING WITH THE FRESHMAN  
REPUBLICANS. THESE MEETINGS WERE DESIGNED TO CONTINUE  
AN AWARENESS AMONG MEMBERS OF CONGRESS THAT KIM DONG JO  
WAS AS IMPORTANT AS TONGSUN PARK.

ON JANUARY 19, WE MET WITH THE CURRENT AMBASSADOR FROM  
KOREA, KIM YONG SHIK, WHO WAS THEN ABOUT TO DEPART FOR  
SOUTH KOREA TO MAKE ARRANGEMENTS FOR THE RETURN OF TONGSUN  
PARK TO THE UNITED STATES. ALTHOUGH THE ISSUE OF WHETHER  
MR. PARK WOULD IN FACT BE PERMITTED TO RETURN WAS NOT  
SETTLED AT THAT POINT, WE TOOK PAINS TO APPRISE THE

AMBASSADOR THAT THE COMMITTEE EXPECTED A COMPLETE REVELATION OF ALL FACTS IN THE INVESTIGATION, STRESSING PARTICULARLY THE NEED FOR ACCESS TO THE TESTIMONY OF KIM DONG JO. THE AMBASSADOR EXPRESSED RESERVATIONS CONCERNING THE KIM DONG JO ISSUE, BUT DID NOT CLOSE THE DOOR ON IT.

WHEN THE AMBASSADOR RETURNED FROM KOREA, HE CARRIED WITH HIM A FAVORABLE REPORT WITH RESPECT TO TONGSUN PARK. IT WAS CLEAR, HOWEVER, THAT THE SOUTH KOREANS VERY MUCH WANTED TO CLOSE OUT ANY POSSIBLE ACCESS TO KIM DONG JO. IT WAS ALSO CLEAR THAT THEY HAD ATTEMPTED TO CONVINCE THE STATE DEPARTMENT THAT ANY ACCESS TO A FORMER DIPLOMAT WOULD BE TOTALLY UNACCEPTABLE UNDER INTERNATIONAL PRACTICE. THE DEPARTMENT LENT SUPPORT TO THEIR LEGAL POSITION, AND PERHAPS BOLSTERED THEIR RESOLVE TO RESIST THE EFFORTS OF THE COMMITTEE TO HAVE ACCESS TO KIM DONG JO. WHEN THE AMBASSADOR REPORTED TO SPEAKER O'NEILL, ON JANUARY 30, 1978, THAT TONGSUN PARK WOULD BE MADE AVAILABLE TO THE COMMITTEE, HE STATED THAT IT WOULD BE IMPOSSIBLE TO PRODUCE KIM DONG JO. THE AMBASSADOR WAS RESOLUTE IN THIS POSITION, BUT THE SPEAKER, REALIZING THE IMPORTANCE OF ACCESS TO KIM DONG JO, CONVINCED THE UNCLASSIFIED

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AMBASSADOR TO LEAVE THE DOOR OPEN TO FURTHER DISCUSSIONS WITH RESPECT TO KIM DONG JO.

IT WAS, OF COURSE, OUR POSITION THAT ACCESS TO KIM DONG JO WAS NO VIOLATION OF INTERNATIONAL PRACTICE WHATEVER. WE WERE NOT ATTEMPTING TO SUBPOENA FORMER AMBASSADOR KIM OR TO SUBJECT HIM TO COMPULSORY PROCESS IN ANY FASHION. RATHER, WE VIEWED THE SITUATION AS ONE OF INTERNATIONAL COMITY, WHEREBY ONE NATION WOULD VOLUNTARILY RELINQUISH ITS RIGHT TO ASSERT DIPLOMATIC IMMUNITY AS A GESTURE OF COOPERATION TO ANOTHER NATION. THERE WAS AND THERE IS NOTHING ILLEGAL ABOUT SUCH A STEP. IN LIGHT OF THE LONG HISTORY OF COOPERATION BETWEEN THE UNITED STATES AND THE REPUBLIC OF KOREA, IT SEEMED TO ME, AND SEEMS TO ME NOW, THAT SUCH A STEP BY SOUTH KOREA IS CLEARLY WARRANTED.

ON FEBRUARY 5, 1978, I APPEARED ON MEET THE PRESS, AND WAS ASKED EXTENSIVE QUESTIONS ABOUT THE KIM DONG JO ISSUE. BECAUSE OF THE INTEREST IN THE REPORTERS WHO QUESTIONED ME AT THAT TIME, I WAS ABLE TO EXPLAIN IN SOME DETAIL OUR POSITION WITH RESPECT TO THE TESTIMONY OF FORMER AMBASSADOR KIM. THE FOLLOWING COLLOQUY WENT TO THE HEART OF THE MATTER:

QUOTE: MR. HALLORAN: THIS WEEK THE KOREAN GOVERNMENT

AGREED TO MAKE TONGSUN PARK AVAILABLE TO YOUR COMMITTEE FOR QUESTIONING. YOU HAVE BEEN AFTER HIM FOR A LONG TIME AS A KEY WITNESS, AND A LOT OF PEOPLE KNOW ABOUT HIM. BUT IT STRIKES ME THAT THE COMMITTEE, YOU AND YOUR COLLEAGUES, HAVE BEEN PUTTING A LOT OF EMPHASIS LATELY ON KIM DONG JO, WHO IS THE FORMER SOUTH KOREAN AMBASSADOR HERE, A MAN WHO IS ALLEGED TO HAVE HAD MANY HIGH-LEVEL UNCLASSIFIED

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CONTACTS WITH AMERICAN CONGRESSMEN, AND YOU HAVE BEEN INSISTING THAT YOU GET TESTIMONY FROM HIM.

MY QUESTION, SIR, IS, IS THIS REALLY REALISTIC? AREN'T YOU ASKING THE KOREAN GOVERNMENT TO VIOLATE DIPLOMATIC IMMUNITY BY MAKING FORMER AMBASSADOR KIM AVAILABLE TO YOU?

MR. JAWORSKI: NO, WE ARE NOT ASKING FOR ANYTHING ALONG THAT LINE. WHAT WE ARE REALLY ASKING FOR IS VOLUNTARY ASSISTANCE AND VOLUNTARY COOPERATION. IT IS WHAT I WOULD TERM IS THE NORM IN THE EXTENSION OF COMITY AS BETWEEN NATIONS, COMITY UNDER THE INTERNATIONAL LAW. THEY HAVE RECEIVED MANY FAVORS FROM US AND ARE RECEIVING FAVORS FROM US. ALL WE ARE ASKING THEM TO DO IS HELP US CLEAR UP A SCANDAL THAT HAS HURT A VERY IMPORTANT INSTITUTION OF OUR GOVERNMENT.

MR. HALLORAN: AREN'T YOU REALLY ASKING THE KOREANS TO VIOLATE THEIR OWN BEST INTERESTS? IN A SENSE YOU ARE ASKING THE KOREANS TO INCRIMINATE THEMSELVES. THIS MAY BE, CERTAINLY, NOT A LEGAL VIOLATION OF THE FIFTH AMENDMENT, BUT MAY BE A SPIRITUAL VIOLATION OF THE FIFTH AMENDMENT.

MR. JAWORSKI: NO, WHAT THEIR LAWS AND THEIR PRACTICES AND THEIR CONCEPTS OF ETHICAL AND MORAL CONDUCT ARE IS THEIR BUSINESS; IT IS NOT OURS. WE ARE NOT SEEKING TO EMBARRASS THEM; WE WANT TO PRESERVE THEIR DIGNITY. AT THE SAME TIME, IF THEY APPROVE OR CONDONE SUCH PRACTICES, IT SO HAPPENS THAT WE DON'T IN OUR COUNTRY. WITHOUT SEEKING TO EMBARRASS ANYONE WE ARE SEEKING THE SIMPLE, PLAIN TRUTH. WE ARE IN A SEARCH FOR IT, AND ALL WE ARE ASKING FOR IS FOR COOPERATION SO THAT WE CAN CLEAR THIS MATTER UP. I THINK IF THE SHOE WERE ON THE OTHER FOOT I WOULD SAY WE OWED IT TO SOUTH KOREA TO DO EXACTLY WHAT WE ARE ASKING SOUTH KOREA TO DO. UNQUOTE UNCLASSIFIED

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I PUBLICLY REQUESTED THAT BOTH PRESIDENT CARTER AND THE DEPARTMENT REEXAMINE THE POSITION OF THE EXECUTIVE BRANCH ON THIS ISSUE AND TURN TO SUPPORT US. FINALLY, I GAVE MY



BLUNT AND DIRECT VIEW ON THE NECESSITY OF OUR HAVING  
ACCESS TO KIM DONG JO:

QUOTE: MR. MONROE: BUT IF YOU CANNOT GET FULL COOPERA-  
TION?

MR. JAWORSKI: IF WE CANNOT GET IT, THEN I FEAR WE ARE  
GOING TO HAVE TO TELL THE AMERICAN PEOPLE THAT OUR INVESTI-  
GATION IS INCOMPLETE. THERE IS NO NEED IN OUR SITTING  
AROUND WHEN WE HAVE NOTHING FURTHER TO DO. UNQUOTE

FOLLOWING MY APPEARANCE ON MEET THE PRESS, I UNDERTOOK A  
SERIES OF EXTENSIVE DISCUSSIONS WITH THE STATE DEPARTMENT.  
IT WAS MADE CLEAR TO ME THAT THE DEPARTMENT WOULD NOT  
DEPART FROM ITS POSITION THAT OUR EFFORTS WERE CONTRARY  
TO TRADITIONAL INTERNATIONAL PRACTICE. BECAUSE I FELT  
THAT ASSISTANCE FROM THE DEPARTMENT WAS ABSOLUTELY  
ESSENTIAL TO OUR SECURING THE TESTIMONY OF KIM DONG JO, I  
AGREED TO A COMPROMISE. THE DEPARTMENT AND THE COMMITTEE  
WOULD WORK CLOSELY TOGETHER TO FACILITATE MUTUAL UNDER-  
STANDING OF THE VIEWS OF THE COMMITTEE AND THOSE OF THE  
REPUBLIC OF KOREA, ALTHOUGH THE DEPARTMENT WOULD NOT  
RETREAT FROM ITS STATED POSITION AND WOULD NOT AFFIRMA-  
TIVELY PRESSURE THE REPUBLIC OF KOREA TO COOPERATE WITH  
US IN THE PRODUCTION OF KIM DONG JO. THESE DISCUSSIONS  
CONTINUED THROUGH FEBRUARY AND INTO THE EXECUTIVE SESSION  
TESTIMONY OF TONGSUN PARK, WHICH BEGAN ON FEBRUARY 28.  
WHILE I DID NOT CONCUR IN THE DEPARTMENT'S POSITION, I  
BELIEVED THAT ITS REPRESENTATIVES WERE AFFIRMATIVELY  
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HELPING US TO CONVINCE THE SOUTH KOREANS THAT IT WOULD  
BE IN BEST INTEREST OF BOTH NATIONS FOR COOPERATION TO  
BE FORTHCOMING.

THE NEED FOR MUTUAL ACCOMMODATION WAS STRESSED. THAT IS  
TO SAY, I UNDERSTOOD THAT FLEXIBILITY ON OUR PART WOULD  
BE NECESSARY BECAUSE OF THE UNPRECEDENTED CIRCUMSTANCES  
SURROUNDING THE TESTIMONY OF A FORMER AMBASSADOR. ACCORD-  
INGLY, ON MARCH 1, 1978, I DETERMINED TO MAKE A SUBSTANTIAL  
CONCESSION. SPECIFICALLY, I DECIDED THAT, IF WE COULD  
SECURE THE CANDID TESTIMONY OF AMBASSADOR KIM DONG JO, I  
WOULD RECOMMEND THAT THE COMMITTEE MAKE NO FURTHER REQUESTS  
TO THE REPUBLIC OF KOREA. I TOOK THIS ACTION FOR  
SEVERAL REASONS. FIRST, KIM DONG JO WAS OBVIOUSLY THE  
CENTRAL WITNESS AS TO HIS PART OF THE INVESTIGATION AND

I FELT THAT HIS TESTIMONY ALONE WOULD BE ADEQUATE. SECOND,  
I REALIZED THE NECESSITY OF CONVINCING THE SOUTH KOREANS  
THAT THEY COULD RESOLVE THE ANGUISH THAT THE MATTER WAS  
CERTAINLY CAUSING THEM BY TAKING ONLY ONE MORE STEP. IN  
OTHER WORDS, I ATTEMPTED TO PROVIDE A LIGHT AT THE

END OF THE TUNNEL FOR SOUTH KOREA. I COMMUNICATED MY DECISION IN A MEETING ON MARCH 1 WITH SECRETARY OF STATE VANCE, DEPUTY SECRETARY CHRISTOPHER, AND ASSISTANT SECRETARY HOLBROOKE. I TOLD THESE GENTLEMEN THAT I WOULD BE WILLING TO MAKE THAT CONCESSION, WHICH I FELT WAS EXTREMELY SUBSTANTIAL, AND THAT I HOPED THAT THE CONCESSION WOULD PROVIDE AN INCENTIVE FOR SOUTH KOREAN COOPERATION. I FURTHER STATED THAT WE MIGHT MAKE FURTHER CONCESSIONS AS TO THE FORM OF THE TESTIMONY, SO LONG AS WE WOULD BE CONVINCED THAT TESTIMONY WOULD BE TAKEN UNDER CIRCUMSTANCES WHERE WE COULD BE ASSURED OF ITS COMPLETENESS AND VALIDITY. THIS MESSAGE WAS TRANSMITTED TO THE SOUTH KOREANS WITHIN A SHORT PERIOD OF TIME.

THEREAFTER, ON MARCH 10, 1978, SPEAKER O'NEILL AGAIN MET  
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WITH AMBASSADOR KIM. HE DID SO WITH MY COMPLETE BACKING BECAUSE OF HIS CENTRAL IMPORTANCE IN OUR SECURING THE TESTIMONY OF TONGSUN PARK IN THE UNITED STATES AND BECAUSE I KNEW THAT THE SOUTH KOREANS COULD NOT IGNORE THE IMPORTANCE OF STRONG ADVICE FROM THE SPEAKER. AMBASSADOR KIM WAS UNWILLING TO COMMIT HIMSELF TO THE SPEAKER AND, IN FACT, ATTEMPTED ONCE AGAIN TO GIVE A NEGATIVE ANSWER ON THE QUESTION OF KIM DONG JO. SPEAKER O'NEILL REFUSED TO ACCEPT SUCH AN ANSWER, AND INSISTED THAT AMBASSADOR KIM REPORT THE REQUEST TO HIGH-RANKING OFFICIALS IN SEOUL AND RETURN TO SPEAKER O'NEILL WITH AN ANSWER. ON MARCH 16, WE MET WITH AMBASSADOR KIM TO IMPRESS UPON HIM FURTHER THE NEED FOR COOPERATION. AT THIS POINT, WE INDICATED THAT WE WOULD NOT PRESS FURTHER REQUESTS UPON THE REPUBLIC OF KOREA AND THAT WE MIGHT BE WILLING TO MAKE PROCEDURAL CONCESSIONS THAT WERE CALLED FOR UNDER THE CIRCUMSTANCES. WE REFUSED TO BE SPECIFIC ON SUCH CONCESSIONS, HOWEVER, BECAUSE WE FELT THAT IT WAS TIME FOR SOUTH KOREA TO COME FORWARD WITH SOMETHING OF SUBSTANCE ON ITS OWN. WE REQUESTED THAT AMBASSADOR KIM RETURN TO US WITH WORD AS TO WHETHER SOUTH KOREA WOULD AGREE IN PRINCIPLE THAT KIM DONG JO SHOULD TESTIFY IN A WAY THAT WOULD PROVIDE FULL INFORMATION TO THE COMMITTEE.

THE AMBASSADOR RETURNED TO THE UNITED STATES IN EARLY APRIL AND, ON APRIL 10, PRESENTED TO SPEAKER O'NEILL A PLAN WHEREBY FORMER AMBASSADOR KIM DONG JO WOULD QUOTE CLARIFY UNQUOTE THE ISSUES TO THE SPEAKER IN A LONG-

DISTANCE TELEPHONE CALL. WE HAD BEEN INFORMED THAT THIS WOULD BE THE PROBABLE RESPONSE AND WERE ABLE TO TELL THE SPEAKER IN ADVANCE OF HIS MEETING WITH AMBASSADOR KIM THAT SUCH AN APPROACH, WHICH APPEARED TO BE DESIGNED  
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TO AVOID A FULL EXPOSITION OF THE TRUTH AND WHICH WOULD NOT PROVIDE PROBATIVE EVIDENCE NO MATTER WHAT WAS SAID, WAS TOTALLY UNACCEPTABLE. SPEAKER O'NEILL SO ADVISED THE AMBASSADOR ON APRIL 10 AND ASKED THE AMBASSADOR TO MEET FURTHER WITH ME TO NEGOTIATE DETAILS WHEREBY INFORMATION COULD BE SECURED FROM KIM DONG JO IN A MEANINGFUL FASHION. AMBASSADOR KIM DECLINED AT THAT TIME EITHER TO CONSIDER ALTERNATIVES OR TO MEET WITH ME.

AFTER TWO WEEKS, AMBASSADOR KIM CHANGED HIS POSITION AND AGREED TO MEET WITH ME ON APRIL 25, 1978. AT THAT MEETING, I REITERATED ALL OF THE EXTREMELY IMPORTANT CONCERNS OF THE COMMITTEE ABOUT THE TESTIMONY OF KIM DONG JO, INCLUDING THE FACT THAT A TELEPHONE CALL FROM KIM DONG JO TO THE SPEAKER WOULD BE INADEQUATE. I INDICATED THAT, SUBJECT TO THE APPROVAL OF THE COMMITTEE, OTHER PROCEDURAL CONCESSIONS MIGHT BE MADE BY US. FOR THE FIRST TIME, I EXPRESSLY AGREED TO CONDUCT THE INTERROGATION OF KIM DONG JO OUTSIDE THE UNITED STATES. ADDITIONALLY, I STATED THAT, SINCE IT WAS A MATTER OF GREAT CONCERN TO SOUTH KOREA THAT FACE-TO-FACE CONFRONTATION BE AVOIDED, I WOULD AGREE TO A PROCEDURE WHEREBY THE INTERROGATION COULD BE CONDUCTED IN SEPARATE ROOMS. I STRESSED ONLY THAT THE COMMITTEE WOULD HAVE TO HAVE THE TESTIMONY OF KIM DONG JO UNDER OATH AND THAT IT WAS ABSOLUTELY NECESSARY THAT SUCH TESTIMONY INCLUDE FOLLOW-UP QUESTIONS TO MAKE IT MEANINGFUL. AMBASSADOR KIM WAS NOT POSITIVE IN HIS RESPONSE, BUT HE AGREED TO CONSIDER THE QUESTION.

BY THIS TIME, I FELT THAT WE HAD MADE EVERY CONCEIVABLE CONCESSION TO THE SOUTH KOREANS. I ALSO FELT OPTIMISTIC THAT THE SOUTH KOREANS HAD THEMSELVES DECIDED TO ASSIST US IN RESOLVING THE KIM DONG JO ISSUE AND THAT OUR PROVIDING THE AFORESAID CONCESSIONS WOULD DEMONSTRATE OUR GOOD FAITH. I EXPECTED A PROMPT AND A POSITIVE RESPONSE. NEVERTHELESS, I RECEIVED NO RESPONSE WHATEVER.  
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ON MAY 4, 1978, I WROTE TO THE SECRETARY OF STATE, ADVISING HIM THAT IN LIGHT OF OUR EXHAUSTIVE EFFORTS TO SECURE THE TESTIMONY OF FORMER AMBASSADOR KIM AND IN LIGHT OF THE MANY GOOD-FAITH CONCESSIONS WE HAD MADE, I FELT A RESPONSE FROM THE SOUTH KOREANS SHOULD BE FORTHCOMING NOT LATER THAN MAY 9. IN THE EVENT THAT A POSITIVE, MEANINGFUL RESPONSE WAS NOT RECEIVED BY MAY 9, I WOULD REPORT OUR FAILURE TO REACH AN AGREEMENT TO KIM DONG JO TO THE CONGRESS SO THAT IT COULD TAKE WHATEVER MEASURES

IT WISHED. LATER, I EXTENDED THE DATE TO MAY 10, AND AGREED TO MEET AGAIN WITH AMBASSADOR KIM AT THAT TIME.

MY MEETING WITH AMBASSADOR KIM WAS HELD THIS MORNING AT 11 O'CLOCK. DESPITE THE MANY PROCEDURAL CONCESSIONS THAT WE HAD OFFERED AND OUR EXTENSION OF ASSURANCES, THE OFFICIAL POSITION OF THE REPUBLIC OF KOREA REMAINS INTRACTABLE. THERE WILL BE NO QUESTIONING OF KIM DONG JO, AND THERE WILL BE NO STATEMENTS BY HIM UNDER OATH. I CAN ONLY CONCLUDE, WITH CONSIDERABLE REGRET, THAT SOUTH KOREA HAS DETERMINED THAT THE TRUTH WILL BE WITHHELD FROM CONGRESS.

AS I HAVE STATED BEFORE, WITHOUT THE TESTIMONY OF KIM DONG JO, THE INVESTIGATION WILL BE INCOMPLETE.

SIGNED LEON JAWORSKI

MAY 10, 1978

END TEXT  
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## Message Attributes

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